

The Greenbrier Companies, Inc.

One Centerpointe Drive Suite 200 Lake Oswego Oregon 97035 503 684 7000 Fax 503 684 7553

RECORDATION NO 25486-A FILES

July 19, 2007

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11-55 AM

SURFACE TRANSPORTATION BOARD

Mr. Vernon A. Williams Secretary Surface Transportation Board 1925 K Street, N.W., Room 704 Washington, D.C. 20006



Dear Mr. Williams:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301 are three (3) originals and two (2) photocopies of a Memorandum of Lease Agreement for Schedule No. 2 dated as of May 16, 2007, a secondary document as defined in the Rules for the Recordation of Documents, 49 C.F.R. Section 1177.

This document relates to the Lease Agreement dated as of September 1, 2004, which was duly filed and recorded on March 4, 2005 and assigned Recordation Number 25486.

The names and addresses of the parties to the enclosed document are:

Lessor:

Greenbrier Leasing Company LLC

formerly known as Greenbrier Leasing Corporation

One Centerpointe Drive, Suite 200 Lake Oswego, Oregon 97035

Lessee:

Revett Silver Company

11115 East Montgomery, Suite G Spokane Valley, WA 99206

A description of the railroad equipment covered by the enclosed document is:

Six (6) 52-foot 6-inch, 286,000 lb. Gross Rail Load open-top solid-bottom mill gondola railcars with fixed ends and 3,045 cubic foot capacity, bearing marks and numbers AOK 32669 through AOK 32674.

Also enclosed is a payment of \$35 payable to the order of the Surface Transportation Board covering the required recordation fee.

Mr. Vernon A. Williams July 19, 2007 Page 2

Kindly return stamped copies of the enclosed document not needed for your files to the undersigned.

A short summary of the enclosed primary document to appear in the Board's Index is:

Memorandum of Lease Agreement for Schedule No. 2 dated as of May 16, 2004 between Greenbrier Leasing Company LLC, Lessor, and Revett Silver Company, Lessee.

Sincerely,

Janet E. Germer

**Executive Assistant** 

JEG

**Enclosure** 

cc: Robert W. Alvord, Esq.

Janet E. Herme

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11-55 AM

## SURFACE TRANSPORTATION BOARD



## MEMORANDUM OF LEASE AGREEMENT

## **BETWEEN**

GREENBRIER LEASING COMPANY LLC, formerly known as Greenbrier Leasing Corporation ("LESSOR")

**AND** 

REVETT SILVER COMPANY ("LESSEE")

SEPTEMBER 1, 2004

SCHEDULE NO. 2

MAY 16, 2007

Memorandum of Schedule No. 2 dated as of May 16, 2007 to a Lease Agreement made and entered into as of September 1, 2004 by and between Greenbrier Leasing Company LLC, an Oregon limited liability company, formerly known as Greenbrier Leasing Corporation ("Lessor") and Revett Silver Company, a Montana corporation ("Lessee").

## WITNESSETH:

- Lessor has agreed to furnish to Lessee, and the Lessee has agreed to lease from Lessor six (6) 52-foot 6-inch, 286,000 lb. Gross Rail Load, open-top solid-bottom mill gondola railcars with fixed ends and 3,045 cubic foot capacity, bearing marks and numbers AOK 32669 through AOK 32674.
- 2. Schedule No. 2 to the Lease Agreement shall be effective as of the date first set forth hereinabove and shall be subject to the lease term, as described in the Lease Agreement and Schedule No. 2, as each may be amended from time to time.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be signed and sealed by their respective officers as of the date and year first above written.

| LESSOR:                         | LESSEE:               |
|---------------------------------|-----------------------|
| GREENBRIER LEASING COMPANY LLC  | REVETT SILVER COMPANY |
| BY: Normis W. Will              | BY Scott M. Bunsdo    |
| NAME: Narriss M. Wabb           | NAME: CF & Brunsdon   |
| TITLE: Executiva Vice President | TITLE: CPO            |

| STATE OF OREGON   | )  |  |
|---|--|--|
| COUNTY OF CLACKAMAS   | ) ss.<br>)   |  |
| On this / 7th day of Jelly . 2007, before me personally appeared / Vorriss  |  |  |
| NOTARY PUBLIC  My commission expires: 5/28/2010   |  |  |
| 2   | OFFICIAL SEAL JANET E GERMER NOTARY PUBLIC-OREGON COMMISSION NO. 405058 MY COMMISSION EXPIRES MAY 28, 2010 |  |
| COUNTY OF Spokane   | ) ) ss )   |  |
| On this 12 day of 5010, 2007, before me personally appeared 50++  Broado, to me personally known, who being by me duly sworn, says that s/he is the  of Revett Silver Company and that the foregoing instrument was signed on behalf of said corporation, and s/he acknowledged that the execution of the said instrument was her or his free act and deed. |  |  |
| HEATHER ENNIS STATE OF WASHINGTON NOTARY — • — PUBLIC   | NOTARY PUBLIC My commission expires: 11-30-07  |  |
| MY COMMISSION EXPIRES 11-30-07  |  |  |

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